

1301825-Court-A-Unit
W. MACK RICE, ATTORNEY
197 HWY 70 WEST
CHAPTER 13 BANKRUPTCY
HAVELOCK, NC 28532-0000

IN RE
ERIC SEVERNAL BLOUNT
569 PERRYTOWN RD

NEW BERN, NC 28562
SSN or Tax I.D. XXX-XX-0782

Chapter 13
Case Number: 13-01825-8-RDD

United States Bankruptcy Court
1760 Parkwood Boulevard
Courtroom Room 101
Wilson, NC 27893

NOTICE OF MOTION FOR CONFIRMATION OF PLAN

Richard M. Stearns, Chapter 13 Trustee has filed papers with the Court to Confirm the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Motion For Confirmation Of Plan, or if you want the court to consider your views on the motion, then on or before 06/03/2013, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at:

U.S. Bankruptcy Court
Eastern District of North Carolina
1760-A Parkwood Blvd
Wilson, NC 27893

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to debtor(s), debtor(s) attorney and trustee at the following addressses:

Debtor(s):	Attorney:	Trustee:
ERIC SEVERNAL BLOUNT	W. MACK RICE, ATTORNEY	Richard M. Stearns
569 PERRYTOWN RD	197 HWY 70 WEST	1015 Conference Dr.
NEW BERN, NC 28562	CHAPTER 13 BANKRUPTCY	Greenville, NC 27858
	HAVELOCK, NC 28532-0000	

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: May 02, 2013

Richard M. Stearns
Chapter 13 Trustee
1015 Conference Dr.
Greenville, NC 27858

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION**

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IN RE:

CASE NUMBER: 13-01825-8-RDD

ERIC SEVERNAL BLOUNT

CHAPTER 13

DEBTOR(S)

**MINUTES OF 341 MEETING AND
MOTION FOR CONFIRMATION OF PLAN**

NOW COMES the Trustee in the above referenced Chapter 13 case moving the Court for an Order confirming the Plan in the case and, in support, of said Motion, says unto the Court:

1. That the debtor(s) appeared at the meeting of creditors, as required by 11 U.S.C. § 341 and submitted to an examination under oath by the Trustee on April 22, 2013, or has supplied answers to written interrogatories;
2. The debtor(s) has/have complied with all requirements of 11 U.S.C. §521 (a) (1) (B) and Interim Bankruptcy Rules 1007 and 4002 (b), as modified and adopted by this Court, and this case has not been dismissed, nor is it subject to dismissal, under 11 U.S.C. §521 (i);
3. That there are no pending objections to confirmation or other filings or pleadings that would impede the confirmation of the Plan in this case;
4. That the Trustee has reviewed the schedules and relative information in the debtor(s) petition and has made a determination of the disposable income for the debtor(s) in this case. The calculation of disposable income impacts on what, if any, dividend will be received by unsecured creditors. The debtor(s) plan provides for payments of:

\$625.00 PER MONTH FOR 57 MONTHS
5. That the liens of creditors which will not be paid in full during the term of the Plan or which are to be paid directly by the debtor(s) are not affected by the confirmation of this Plan;
6. Generally, and subject to orders entered hereafter by the Court, any proof of claim that is not filed on or before July 22, 2013 ("Bar Date") shall be disallowed. Claims of governmental units, proofs of which are not filed before September 18, 2013 ("Government Bar Date") shall be disallowed;
7. That the claims of secured creditors shall be paid as secured to the extent of the claim or to the extent of the value of the collateral as set out below:
 - a. Claims to be paid directly by the Debtor:

Creditor

Collateral

Repayment Rate/Term

#802 BB&T 1ST MORTGAGE TO BE PAID DIRECT

b. Continuing Long Term Debts to be paid by the Trustee:

IF A PROOF OF CLAIM IS TIMELY FILED the claim is to be paid on a monthly basis according to the terms of the contract effective the first month after confirmation. Arrearages, if any, to be paid over the life of the plan.

Two post-petition contractual payments shall be included in the arrearage claim.

**The Debtor is to resume direct payments upon completion of plan payments.
(SEE PARAGRAPH 8 BELOW)**

<u>Creditor</u>	<u>Collateral</u>
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NONE	
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c. Claims paid to extent of claims as filed (no cramdown):

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
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NONE		
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d. Claims paid to extent of value:

<u>Creditor</u>	<u>Collateral</u>	<u>Present Value</u>	<u>Repayment Rate/Term</u>
#7 HSBC	2005 YAMAHA 1000	\$3,995.00 SECURED (REMAINING BALANCE UNSECURED)	TO BE PAID OVER THE TERM OF THE PLAN @ 5 ¼% INTEREST; IF PROOF OF CLAIM IS TIMELY FILED
#8 WEYCO CREDIT UNION	2007 CHEVY K1500	\$13,292.64 SECURED (REMAINING BALANCE UNSECURED)	TO BE PAID OVER THE TERM OF THE PLAN @ 5 ¼% INTEREST; IF PROOF OF CLAIM IS TIMELY FILED

e. Claims to be avoided by the debtor:

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
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NONE		
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Pursuant to Local Rule 3070-1(b) some secured creditors may be entitled to pre-confirmation adequate protection payments.

8. **LONG TERM RESIDENTIAL MORTGAGE CLAIMS** shall be paid in a manner consistent with Local Rule 3070-2.
9. That the following creditors have filed secured proofs of claims but, due to the value placed on the collateral, the claims will be treated as unsecured and paid along with other unsecured claims. With respect to claims listed below for which the terms of repayment are listed as: "Abandon," upon entry of an Order confirming the plan, as modified by this Motion, the automatic stay of §362(a) and the automatic co-debtor stay of §1301 shall thereupon be lifted and modified with respect to such property "for cause" under §362(a)(1), as allowed by Local Rule 4001-1(b):

NONE

Reference herein to "Direct" or "Outside" or similar language regarding the payment of a claim under this plan means that the debtor(s) or a third party will make the post-petition payments in accordance with the contractual documents which govern the rights and responsibilities of the parties of the transaction, including any contractual modifications thereof, beginning with the first payment that comes due following the order for relief;

10. That the treatment of claims indicated in paragraphs 7, 8 and 9 above, are based on information known to the Trustee at the time of the filing of this Motion. The treatment of some claims may differ from that indicated if subsequent timely filed claims require different treatment;
11. That the following executory contracts and unexpired leases shall be either assumed or rejected as indicated below:

<u>Creditor</u>	<u>Property Leased or Contracted For</u>	<u>Treatment</u>
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NONE

12. That priority claims shall be paid in full over the term of the Plan;
13. That confirmation of this Plan will be without prejudice to pending Motions For Relief From the Automatic Stay and will be without prejudice to objections to claims and avoidance actions;
14. That confirmation of the Plan vests all property of the estate in the debtor(s);
15. That the attorney for the debtor(s) is requesting fees in the amount of \$3,000.00. The Trustee recommends to the Court a fee of \$3,000.00. If the recommended fee is different from that requested an explanation can be found in Exhibit 'A'.
16. Other Provisions: NONE

RICHARD M. STEARNS

Standing Chapter 13 Trustee

EXHIBIT 'A'**DEBTORS:** ERIC BLOUNT **CASE NUMBER:** 13-01825-8-RDD**EMPLOYMENT:**Debtor: WEYERHAUSER NR GROSS INCOME: \$5,144.16
COMPANY

Spouse:

Prior Bankruptcy Yes ☐ No ☒ If so, Chapter filed**cases:**

Disposition:

Real Property: House and Lot ☒ Mobile home ☐ Lot/Land ☐ Mobile Home/Lot ☐

Description: RESIDENCE @ 569 PERRYTOWN RD.

FMV \$148,572.00

Date Purchased

Liens \$139,478.33

Purchase Price

Exemptions \$9,093.67

Improvements

Equity \$ 0.00

Insured For

Rent

Tax Value

\$165,080.00

Description N/A

FMV

Date Purchased

Liens

Purchase Price

Exemption

Improvements

Equity \$ 0.00

Insured For

Rent

Tax Value

COMMENTS: THE ABOVE FMV CONSIDERS 10% REDUCTION FOR
HYPOTHETICAL LIQUIDATION EXPENSES. GROSS HUSBAND
EQUITY IS \$292.50 IN PERSONAL PROPERTY.**Attorney** Requested: \$3,000.00 (excluding filing fee)**Fees:** Paid: \$400.00 (excluding filing fee)

Balance: \$2,600.00

Trustee's Recommendation: \$3,000.00

Comments:

Plan Information:

<u>Plan Information:</u>		<u>After 341</u>		<u>Payout % After 341</u>	
Total Debts	\$85,709.92	Pay in	\$35,625.00	Priority	0.00%
Priority	\$0.00	Less 8.00%	\$2,850.00	Secured	100.00%
Secured	\$19,570.38	Subtotal	\$32,775.00	Unsecured	0.00%
Unsecured	\$66,139.54	Req. Atty. Fee	\$2,600.00	Joint	0.00%
Joint Debts	\$0.00	Available	\$30,175.00	Co-Debts	0.00%
Co-Debtor	\$0.00				

Annual Review: Yes ☒ No ☐**Payroll Deduction:** Yes ☐ No ☒**Objection to Confirmation:**Yes ☐ No ☒

Pending:
Resolved:

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Motions Filed: Yes ☐ No ☒

If so, indicate type and status:

Hearing Date:

CERTIFICATE OF MAILING

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Court Served Electronically

Trustee	Richard M. Stearns	1015 Conference Dr. Greenville, NC 27858
Debtor	ERIC SEVERNAL BLOUNT	569 PERRYTOWN RD NEW BERN, NC 28562
799	000002 W. MACK RICE, ATTORNEY CHAPTER 13 BANKRUPTCY	197 HWY 70 WEST HAVELOCK, NC 28532-0000
009	000009 AMERICAN EDUCATIONAL SERVICES CHAPTER 13 BANKRUPTCY	PO BOX 2461 HARRISBURG, PA 17105-2461
IRS	000004 INTERNAL REVENUE SERVICE INSOLVENCY SUPPORT SERVICES	PO BOX 7346 PHILADELPHIA, PA 19101-7346
NCREV	000005 NC DEPT OF REVENUE CHAPTER 13 BANKRUPTCY	PO BOX 1168 RALEIGH, NC 27602-1168
ESC	000003 EMPLOYMENT SECURITY COMMISSION CHAPTER 13 BANKRUPTCY	PO BOX 26504 RALEIGH, NC 27611
802	000006 BB&T BANKRUPTCY SECTION / 100-70-01-51	PO BOX 1847 WILSON, NC 27894
010	000010 BB&T BANKRUPTCY SECTION / 100-70-01-51	PO BOX 1847 WILSON, NC 27894
021	000021 BRANCH BANKING & TRUST COMPANY ATT: JACK R. HAYES	PO BOX 1847 WILSON, NC 27894-1847
022	000022 WEYCO COMMUNITY CU *CM PO DRAWER 69	STEVEN HARDISON, CEO PLYMOUTH, NC 27962-0069
008	000008 WEYCO CREDIT UNION BANKRUPTCY DEPARTMENT	PO DRAWER 69 PLYMOUTH, NC 27962-0069
018	000018 JAMIE RASBERRY 197 HWY. 70 WEST	C/O W. MACK RICE HAVELOCK, NC 28532
019	000019 LAUREN N TAYLOR	569 PERRYTOWN RD NEW BERN, NC 28562
014	000014 GEMB / BELK CHAPTER 13 BANKRUPTCY	PO BOX 103104 ROSWELL, GA 30076
015	000015 GEMB/JC PENNEY CHAPTER 13 BANKRUPTCY	PO BOX 103104 ROSWELL, GA 30076
011	000011 BILL ME LATER	PO BOX 105658 ATLANTA, GA 30348
012	000012 DISCOVER BANK DB SERVICING CORPORATION	POB 3025 NEW ALBANY, OH 43054-3025
017	000017 UNION PLUS CREDIT CARD CHAPTER 13 BANKRUPTCY	PO BOX 4155 CAROL STREAM, IL 60197-4155
013	000013 ELAN	POB 790408 ST LOUIS, MO 63179-0408
016	000016 TARGET NATIONAL BANK	PO BOX 660170 DALLAS, TX 75266
020	000020 CAPITAL ONE, N.A. 3936 E. FT. LOWELL RD, STE 200	C/O BASS & ASSOCIATES PC TUCSON, AZ 85712

CERTIFICATE OF MAILING

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007 000007 CAPITAL ONE, N.A. C/O BASS & ASSOCIATES PC
3936 E. FT. LOWELL RD, STE 200 TUCSON, AZ 85712

24 NOTICES

THE ABOVE REFERENCED NOTICE WAS MAILED TO EACH OF THE ABOVE ON 05/02/2013.
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.
EXECUTED ON 05/02/2013 BY /S/EPIQ Systems, Inc.

*CM - Indicates notice served via Certified Mail